

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 13, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TMP-23525 - APPLICANT: FF DEVELOPMENT, LP - OWNER: FAIRFIELD CENTENNIAL, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Variance (VAR-23524) and Site Development Plan Review (SDR-20480).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

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6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. Petition of Vacation VAC-17077 shall record concurrently with a Final Map for this site.
8. The Final Map for this site shall include a note stating “All areas not occupied by a building are a Public Drainage Easement to be Privately Maintained by the Homeowners’ Association”.
9. A Homeowners’ Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
10. The emergency turnaround on the south side of this site and shown on this site plan shall be designated and posted “No Parking” and shall be clearly delineated through use of red concrete or other methods acceptable to the Fire Protection Engineering Section of the Department of Fire Services. Parking prohibition shall be enforced by the Homeowners’ Association.
11. The easternmost access driveway shall be designated as an emergency crash gate on the Final Map for this site. The crash gate driveway shall be designed as a pan style driveway.
12. Site development to comply with all applicable conditions of approval for ZON-20479, SDR-20480, and all other site-related actions.
13. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a tentative map for a 414-unit condominium subdivision on 15.5 acres on the south side of Centennial Parkway, approximately 340 feet east of Puli Road. Due to grade changes at several natural washes on the perimeter of the site, the applicant requests a companion variance (VAR-23524) to allow for retaining walls that exceed Title 19 limits. As staff cannot support this variance, denial is recommended for the proposed tentative map.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
07/20/05	The City Council approved an Annexation (ANX-5163) of approximately 60 acres generally located south of Centennial Parkway, east of Puli Drive. The Planning Commission and staff recommended approval. The effective date was 07/29/05.
08/11/05	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Variance (VAR-7539) to allow a reduction in the amount of required open space in conjunction with a proposed single-family residential development on the subject site. Staff had recommended denial of the Variance.
09/07/05	The City Council approved a Rezoning (ZON-7536) from U (Undeveloped) [PCD (Planned Community Development) Master Plan Designation] to R-PD8 (Residential Planned Development – 8 Units per Acre) and a Site Development Plan Review (SDR-7537) for a proposed 120-lot single-family residential development on 15 acres encompassing the subject site. The Planning Commission recommended approval. Staff recommended denial of both requests.
06/07/06	The City Council approved a Rezoning (ZON-12345) from U (Undeveloped) [PCD (Planned Community Development) Master Plan Designation] under Resolution of Intent to R-PD8 (Residential Planned Development – 8 Units Per Acre) to PD (Planned Development) and a Site Development Plan Review (SDR-12342) for a proposed 118-lot single family residential development on the subject site. The Planning Commission and staff recommended approval of both requests.
06/22/06	The Planning Commission approved a Tentative Map (TMP-13538) for a proposed 118-lot single-family residential subdivision. Staff recommended approval.

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12/20/06	The City Council approved a Petition of Vacation (VAC-17077) to vacate U.S. Government Patent Easements generally located south of Centennial Parkway, west of Shaumber Road. The Planning Commission and staff recommended approval.
02/09/07	Staff administratively approved a Final Map Technical Review (FMP-19136) for a proposed 118-lot single-family residential subdivision on the subject site. This map has not been submitted for Mylar review or recorded as of 08/21/07.
06/20/07	The City Council approved a General Plan Amendment (GPA-20474) to change the land use designation from PCD (Planned Community Development) to H (High Density Residential); a Rezoning (ZON-20479) from PD (Planned Development) to R-4 (High Density Residential); a Variance (VAR-20472) to allow building heights of three stories and 44 feet where two stories and 35 feet is the maximum height allowed; and a Site Development Plan Review (SDR-20480) for a 414-unit multi-family residential development on the subject site. The Planning Commission recommended approval. Staff recommended denial of all items.
09/13/07	The Planning Commission will consider a companion item, a Variance (VAR-23524) to allow a retaining wall height of 12 feet where the maximum retaining wall height is six feet on the north, south and east property lines, and to allow a total height of 15.5 feet where the maximum total height of retaining and screening walls is 12 feet for a proposed 414-unit condominium development on the subject site.
<i>Related Building Permits/Business Licenses</i>	
11/07/06	A stockpile permit (#75596) was issued for the Centennial 15 single-family residential project at 10701 West Centennial Parkway.
<i>Pre-Application Meeting</i>	
07/17/07	The site received entitlements on 06/20/07 for 414 multi-family units and a maximum height of three stories or 44 feet. The tentative map will be a public hearing, as a variance is also required to allow perimeter wall heights to exceed code allowances. According to the applicant, the existing site conditions require the higher walls. Minor site changes from the approved Site Development Plan Review are permitted as long as the number of lots, density, height and other requirements are not changed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
08/07/07	The subject site is undeveloped with no adjacent development. There are several dry washes running west to east across the site. A portion of dirt has been moved, and there is a construction road running through the site with a gate on Centennial Parkway. A dust control permit number is posted, as well as the sign advertising the recently approved General Plan Amendment.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	15.5
Net Acres	14.7

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	H (High Density Residential)	PD (Planned Development) under Resolution of Intent to R-4 (High Density Residential)
North	Undeveloped	PCD (Planned Community Development)	PD (Planned Development) [RSL (Residential Small Lot) Cliff's Edge Special Land Use Designation]
South	Undeveloped	PF-CC (Public Facilities – Clark County Designation)	U (Undeveloped)
East	Undeveloped	PF-CC (Public Facilities – Clark County Designation)	U (Undeveloped)
East	Undeveloped	PCD (Planned Community Development)	U (Undeveloped)
West	Undeveloped	PCD (Planned Community Development)	U (Undeveloped)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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DEVELOPMENT STANDARDS

Pursuant to Title 19.08 and Site Development Plan Review (SDR-20480), the following development standards apply to the subject site:

Standard (R-4 Zoning District)	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 SF	15.5 acres	Y*
Min. Lot Width	N/A	680 Feet	N/A
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	10 Feet 5 Feet 5 Feet 20 Feet	25 Feet 20 Feet N/A 20 Feet	Y Y N/A Y
Min. Distance Between Buildings	10 Feet	10 Feet	Y
Max. Building Height	3 stories/44 feet	3 stories/44 feet	Y**
Trash Enclosure	Walled, gated, screened	Walled, gated, screened	Y
Mech. Equipment	Screened	Screened	Y

*Remapping of the site will combine the existing lots into one single common area surrounding the individual condominium units.

**A Variance (VAR-20472) was approved for the subject site allowing three-story buildings at a maximum height of 44 feet where the R-4 (High Density Residential) District allows a maximum of two stories or 35 feet, whichever is less.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential (1-bedroom)	268 units	1 space/ 1.25 units	335				
Multi-Family Residential (2-bedroom)	146 units	1 space/ 1.75 units	256				
Guest Parking	414 units	1 space/6 units	69				
SubTotal			646	14	653	17	Y
TOTAL			660		670		Y

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ANALYSIS

The map complies with Title 19 R-4 (High Density Residential) District standards requirements, including those with respect to lot size, lot count, density, setbacks and parking. However, perimeter wall height requirements are not met. Staff does not support the accompanying variance request (VAR-23524) to allow taller walls than the code allows; therefore, denial is recommended for the tentative map.

Remapping the site will satisfy Added Condition Number A of Site Development Plan Review SDR-20480, which states, "Recordation of a reversionary parcel map or an administrative consolidation of the parcels is required prior to the issuance of any building or grading permits."

FINDINGS

- General information

The tentative map proposes to subdivide three existing lots into 414 residential condominium units, with the remaining acreage consisting of common area. As there is no external access from what is the Azure Drive alignment at the south property line, an 81-foot diameter turnaround has been provided. Provision of the turnaround slightly reduced the amount of available parking; however, the site still meets minimum Title 19 parking space requirements. The entrance from Centennial Parkway will not be gated.

The site has had prior approvals for single-family residential use. A map (FMP-19136) to subdivide the subject site into single-family lots was never recorded.

The map illustrates 14 multi-family residential buildings spread throughout the project area. Additionally, a club house, community pool, maintenance building and a number of covered and gated trash enclosures are located in the development.

- Cross Section

The average natural slope across the site is greater than two percent, and at least five drainage swales cross the site. Per Title 19.12.075, if the natural slope of a parcel that will contain a screening wall is greater than two percent, and a retaining wall will be required, the maximum height of the retaining wall shall be six feet; the minimum height of the screening wall shall be six feet, with the maximum height eight feet; and the total height of both walls shall not exceed 12 feet, measured from the finished grade from the lower side of the wall to the top of the wall, and a maximum height of

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eight feet measured from the finished grade on the higher side of the wall to the top of the wall. In cases where more than six feet of retaining is needed, the Code allows four-foot walls to be constructed with landscaped four-foot offsets to mitigate visual impact of the walls.

The proposed tentative map shows retaining walls ranging from six to 12 feet on the north property line; from four to 12 feet on the east property line; from two to six feet on the south, and from four to 10 feet along the southern edge of APN 126-25-101-002. A 3.5-foot wrought iron screen fence is proposed to be added to the retaining walls on all sides, bringing the maximum height of the walls to 15.5 feet from grade. The applicant has applied for a companion variance (VAR-23524) to allow retaining walls of up to 12 feet along portions of the north, south and east property lines and a maximum total height of 15.5 feet. The proposed six-foot retaining wall along the west property line complies with Title 19 and is not covered by the variance request.

- Trails

No trails are required adjacent to the subject property.

- Special Conditions of Approval (from SDR-20480)

1. Recordation of a reversionary parcel map or an administrative consolidation of the parcels is required prior to the issuance of any building or grading permits.
2. All development shall be in conformance with the site plan, landscape plan and building elevations date stamped 05/07/07, except as amended by conditions herein.
3. No waiver is hereby approved.
4. The minimum distance between buildings shall be ten feet.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

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<u>SENATE DISTRICT</u>	9	
<u>NOTICES MAILED</u>	40	(Mailed with VAR-23524)
<u>APPROVALS</u>	0	
<u>PROTESTS</u>	0	